

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

IN RE:)	
)	
RODNEY PAUL HUNT)	Case No. 15-13962-RGM
)	Chapter 7
Debtor)	
)	
)	

**ORDER REGARDING MOTION FILED BY BARBARA FEARS
FOR RELEASE OF FUNDS TO PAY CHILD SUPPORT ARREARS**

Upon consideration of the Motion filed by Barbara Fears for the release of funds held by the Trustee, in order to pay child support arrears (Docket No. 116), and after a hearing thereon at which counsel for the Trustee, counsel for the Debtor, counsel for the Commonwealth of Virginia, Department of Social Services, and Division of Child Support Enforcement (“DCSE”), Paula Schulz and Ms. Fears appeared, with Ms. Fears appearing telephonically, and all parties being in agreement that Ms. Schulz and Ms. Fears have filed timely claims for pre-petition child support and medical expense reimbursements; that their claims qualify for payment pursuant to 11 U.S.C. § 507(a)(1)(A); and that funds are available with which to make a payment toward their pre-petition claims, with the payment to be divided *pro rata* between the claims, and with the pre-petition claim of Ms. Schulz being quantified for present purposes at \$23,250.89, which consists of \$22,700.00 of pre-petition child support and \$550.89 of unreimbursed medical expenses, and the pre-petition claim of Ms. Fears being quantified for present purposes at \$14,413.09; and the Trustee having determined that a total payment of \$30,000.00 will reserve sufficient funds to make an additional payment to Ms. Schulz if her pre-petition child support claim increases, so that

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the payments to Ms. Fears and Ms. Schulz would then be *pro rata* based on Ms. Schulz's higher claim, it is hereby

ORDERED that the Trustee is authorized to make a total payment of \$30,000.00 toward the pre-petition child support and medical expense reimbursement claims of Barbara Fears and Paula Schulz; and it is further

ORDERED that the payment shall be divided *pro rata* between the pre-petition claims, with 38.3%, or \$11,490.00, to be paid to Barbara Fears and 61.7%, or \$18,510.00, to be paid to Paula Schulz; and it is further

ORDERED that the \$18,510.00 payment to Paula Schulz shall be allocated *pro rata* between the pre-petition child support and the pre-petition unreimbursed medical expenses, with 97.6%, or \$18,065.76 being allocated to the pre-petition child support and \$444.24 being allocated to the pre-petition unreimbursed medical expenses; and it is further

ORDERED that the Trustee shall make the payments directly to Ms. Fears and Ms. Schulz; and it is further

ORDERED that DCSE shall credit the payment to Ms. Fears toward the pre-petition child support obligations of the Debtor to Ms. Fears, and shall credit \$18,065.76 of the payment to Ms. Schulz toward the pre-petition child support obligations of the Debtor to Ms. Schulz; and it is further

ORDERED that the amounts assigned to the respective pre-petition child support claims herein shall be without prejudice to the amendment of the claims of Ms. Schulz and/or Ms. Fears to claim additional amounts owed by the Debtor, if any, for pre-petition child support and medical expense reimbursements, and without prejudice to the ability of any party in interest to object to any such amended claims.

Date: Sep 12 2016

/s/ Robert G. Mayer

U.S. Bankruptcy Judge

Entered on Docket: September 12, 2016

I ASK FOR THIS:

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SEEN:

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SEEN:

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SEEN:

/s/ Paula Schulz
Paula Schulz_

SEEN:

/s/ Barbara Fears
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